

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

JERRELL M MCCRARY,

Plaintiff,

v.

SUIT LLC,

Defendant.

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4:21-cv-01466-ACA

ORDER

On February 28, 2022, the court ordered Plaintiff Jerrell McCrary to show cause why the court should not dismiss this action for Mr. McCrary’s failure to serve the Defendant. (Doc. 5). Mr. McCrary responded to this order on March 22, 2022. (Doc. 6). According to his response, Mr. McCrary “decided to drop the lawsuit because [he] can’t find a lawyer.” (*Id.*).

The court construes Mr. McCrary’s response to its order to show cause as a notice of voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). That rule permits a plaintiff to dismiss an action without a court order by filing “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgement.” Fed. R. Civ. P. 41(a)(1)(A)(i). Defendant Suit LLC has not filed an answer or motion for summary judgement in this action.

Therefore Mr. McCrary may voluntarily dismiss his case without an order from this court.

The court **DIRECTS** the Clerk to close the case.

DONE and **ORDERED** this March 24, 2022.

A handwritten signature in black ink, appearing to read 'Annemarie', is positioned above a horizontal line.

ANNEMARIE CARNEY AXON
UNITED STATES DISTRICT JUDGE